

REMARKS

Claims 1-4, 8, 9 and 12 are pending in this application – claim 12 being newly added. It appears that claim 9 may have been inadvertently omitted. Claim 9 has not been canceled and examination of the same is respectfully requested.

Claims 1 and 8 have been amended such that “the water insoluble colored polymer particles contain a dye covered with a polymer...” The preference of “a dye” to “a pigment” for the present invention is its bright hue. The description on page 2, lines 10-20 of the specification, for example, supports the amendment of claim 1 (as well as claim 8):

“Dyes are soluble in solvents and dye molecules are subjected to dying in a molecular or cluster state. Since the environment of each molecule is similar, its absorption spectrum is sharp and results in clear coloring of high purity. In addition, there occur no granular patterns due to particles. Further, when images are formed on a glossy paper while targeting conventional photographic quality, dyes penetrate from the paper surface to the interior, whereby the images are formed. As a result, neither scattered light nor reflection light occurs, whereby it is possible to obtain clear ink-jet images with bright hues.”

Moreover, claim 12 has been newly added. Claim 12 is supported, for example, by the description on page 28, lines 13-20 of the specification:

“In the present invention, employed as polymers used for polymer-coated dyes may be all the polymers which are generally known. However, in view of dissolving and incorporating dyes, polymers for the core portion of the polymer-coated dyes are preferably those which exhibit high compatibility with dyes. Particularly preferred polymers include those having an acetal group, a carbonic acid ester group, a hydroxyl group or an ester group as a major functional group.”

The Examiner has rejected claims 1-4 and 8 under 35 U.S.C. 102(e) as being anticipated by Miyabayashi (U.S. Patent 6,602,333). Miyabayashi discloses the use of a colorant, in particular Miyabayashi teaches that “the colorant is a pigment” (col. 5, lines

63-64). **The use of a dye covered with a polymer is not taught or suggested by Miyabayashi.**

A dye is superior to a pigment in that a dye makes it possible to obtain clear ink-jet images with bright hues. In addition to the clear and bright image, the cyan inks containing a dye give superior inventive effects as are shown by samples Nos. 23-27 and 29-32 in Table 2 of the present specification.

Accordingly, Claim 1 is patentably allowable over the Miyabayashi. Claim 2, 3, and 4 depend from claim 1 and are allowable for at least the same reason. Claim 9 includes the limitations of claim 1 and is allowable for the same reason as well. Claim 8 is also believed to be in condition for allowance for at least the same reasons.

In sum, removal of the rejection and allowance of the claims is respectfully requested. Should the Examiner have any questions or concerns, the Examiner is invited to call the undersigned attorney of record.

Respectfully submitted,



Cameron K. Kerrigan  
Attorney for Applicants  
Reg. No. 44,826

Date: May 6, 2005

Squire, Sanders & Dempsey L.L.P.  
One Maritime Plaza  
Suite 300  
San Francisco, CA 94111  
Facsimile (415) 393-9887  
Telephone (415) 954-0323  
ckerrigan@ssd.com